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**CITY COUNCIL
M I N U T E S**

Council Chamber
City Hall
Halifax, N.S.
12 October 1989
8:00 p.m.

A regular meeting of Halifax City Council was held at this time.

The meeting was called to order with members of Council, led by Alderman D. Grant, joining in the Lord's Prayer.

PRESENT: His Worship Mayor Wallace, Chairman; Deputy Mayor R. Grant; and Aldermen D. Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Flynn, and Stone.

ALSO PRESENT: City Manager; Mr. Wayne Anstey, Acting City Solicitor; City Clerk; and other members of City staff.

Presentation: Retirement Scroll - Colin Finley, Police Dept.

His Worship introduced Constable Colin D. Finley of the Halifax Police Department who he noted had joined the Halifax Police Department on 8 June 1955.

Constable Finley was presented with a long service award for his many years of dedicated service to the City.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held 28 September 1989, and of the Special Meeting, held 4 October 1989, were approved on a motion by Alderman Stone, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of the City Clerk, Council agreed to defer to the next meeting of City Council scheduled for 26 October 1989:

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5.1 Case No. 5328: Minor Variance Appeal - 2107
Oxford Street

delete: At the request of the City Clerk, Council agreed to

10.8 Amendment to Encroachment License - Use of
Streets

add: At the request of the City Clerk, Council agreed to

20.1 Award of Tender 89-42: George Dixon Horseshoe
Pitches

20.2 Appointments

to add: At the request of Alderman Jeffrey, Council agreed

20.3 3326 Dutch Village Road - Injunction

to add: At the request of Alderman Meagher, Council agreed

20.4 Day Care Centres

The agenda, as amended, was approved on a motion by
Alderman Flynn, seconded by Alderman Hanson.

DEFERRED ITEMS

Case No. 5328: Minor Variance Appeal - 2107 Oxford Street

This item was deferred to the next City Council
meeting scheduled for 26 October 1989 at the request of the
City Clerk during the setting of the agenda.

Case No. 5784: Amendment to Height Precinct Map (ZM-17) -
Mitchell Property

A public hearing regarding this matter was held on
Wednesday, 4 October 1989.

Alderman D. Grant addressed the matter and
recognized that Council had received volumes of information
on the proposed amendment to the Land Use Bylaw. She

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indicated that all of the information received had evoked a number of questions which were raised during the public meetings and raised again during the public hearing on this matter. Alderman D. Grant proceeded to review some of those questions.

8:20 p.m. Alderman Leiper entered the meeting.

Alderman D. Grant noted that a question had been asked as to whether or not a high density residential development could be achieved under the current R-3 zoning and the current height restrictions. She noted that the answer to this question was that it could be achieved.

She noted that it was also asked whether an attractive high density development could be achieved using the existing regulations and that the answer to this question was, yes it could.

Alderman D. Grant noted that the question had been raised as to whether or not the maximum density could be allowed for this land area if the property were developed under the existing zoning and height restrictions. She advised that the answer to this question was yes.

Alderman D. Grant went on to advise that when the South End Detailed Area Plan was adopted a few years ago, it clearly intended that this piece of property have a height restriction of 35 feet placed on it.

Alderman D. Grant expressed the view that these questions clearly demonstrate that an attractive high density development could exist and could occur under the existing zone and height restriction. She further noted that, when the Plan was passed approximately six years ago, the citizens who worked so hard on the Plan understood how important it was to the stability of the area that the height restriction be imposed.

Alderman D. Grant also referred to other questions which had been asked during the public hearing. She referred to the question with regard to whether the footprint could be changed from the one that was demonstrated in sketch number 5 attached to the staff report of 20 April 1989. Alderman D. Grant indicated that Council was informed that the sketch was not a concrete one and that a number of variations were possible.

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Referring to a question with regard to the actual height which could be achieved, Alderman Grant noted that Council had been advised that, with the proposed amendment, the 35 foot restriction could become 45 feet and that the 50 foot restriction could reach a maximum of 60 feet and that the 90 foot restriction could reach a maximum of 100 feet.

During her comments, Alderman D. Grant noted that Council has proven on many occasions its concern with respect to conservation of heritage areas and street scapes and was mindful of the citizens concerns. The Alderman indicated that she was not advocating restricting development on this piece of property, but merely allowing it to happen under the existing criteria.

MOVED by Alderman D. Grant, seconded by Alderman Meagher that the Height Precinct Map (ZM-17) as it relates to the Mitchell Property, located at the intersections of Wellington Street, Inglis Street and Tower Road, remain unchanged.

Responding to a question from Alderman Flynn, Mr. Hanusiak, Planner II, addressed Council and advised that a contract was not allowed for this property. Responding to a further question, Mr. Hanusiak advised that the proposed height limitations had been arrived at through discussions and negotiations with the owner of the property.

Alderman Flynn expressed the concern that a definite description of what was actually going to be placed on the property was not presented to Council. He expressed the concern that there was no indication that the configuration presented to Council by staff would be constructed.

Following a further questioning of staff, Alderman Flynn proposed a motion that the matter be deferred for a two week period to afford the developer an opportunity to provide Council with an indication of what he planned to build on the property. There was no seconder to Alderman Flynn's motion.

In closing the debate, Alderman D. Grant expressed the concern as expressed by Alderman Flynn that there was no clear definition of what was to occur on this site. She also noted that it was clear that the present 35 foot height limit was consistent with the Municipal Development Plan and that there was no clear reason to change the Municipal Development Plan. Alderman D. Grant expressed the opinion that it would

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be undesirable to exempt one specific property and that it would be undesirable from everyone's point of view in the south end area because a precedent would be set.

The City Clerk noted that Alderman Leiper was unable to attend the public hearing on this matter and therefore should not vote.

The motion was put and lost with Alderman Leiper abstaining from the vote.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that the amendments to the Height Precinct Map (ZM-17) as it relates to the Mitchell Property, located at the intersections of Wellington Street, Inglis Street and Tower Road, as attached to the 20 April 1989 staff report, be approved.

Motion passed.

The following correspondence was received subsequent to the Public Hearing on this matter and can be found in the official file for this item:

- letter dated 12 October 1989 from Joanne Cook and Norval Collins, Community Planning Association of Canada

- letter dated 11 October 1989 from Margaret and Terry Fulmer, 5677 Inglis Street

- letter dated 12 October 1989 from Barry Cowling and Melanie Macey, 1166 Waterloo Street

- letter dated 9 October 1989 from Margaret F. Douglas, 1521 LeMarchant Street

- letter dated 11 October 1989 from Frederick P. Crooks, 932 Marlborough Avenue

- letter dated 11 October 1989 from Andrew B. Lynch, 5455 Inglis Street

- letter dated 27 September 1989 from Jacqueline P. Bell, Kent Street

- letter dated 27 September 1989 from Karen Lorette, South Street

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- letter dated 10 October 1989 from R.C. Sime
- letter dated 25 September 1989 from Susan McCurdy, 5742 Victoria Road
- letter dated 10 October 1989 from F.V.W. Penick, McInnes Cooper & Robertson
- letter dated 5 October 1989 from Molly and Jeff Fortura
- letter from Dorothy and Bill Murphy; Bill and Therese Mann; and Jeff and Molly Fortura
- letter dated 4 October 1989 from MacCallum S. Grant, 5914 Chain Road Drive
- letter dated 3 October 1989 from Peter McCurdy, Box 1020 Banff, Alberta
- letter dated 7 October 1989 from Gordon and Peggy Thompson, 937 Marlborough Avenue
- letter dated 5 October 1989 from Sheila Stevenson and Stephen Archibald, 5455 Inglis Street
- letter dated 4 October 1989 from Charles A. Marshall, 971 Bellevue Avenue
- letter dated 5 October 1989 from Joanne Cook and Norval Collins, Community Planning Association of Canada
- letter dated 5 October 1989 from J. Barresi, 1159 Wellington Street

Case No. 5840: Proposed Amendment to Section 44F of the Land Use Bylaw (Peninsula)

A public hearing on this matter was held 4 October 1989.

Alderman D. Grant addressed the matter and advised that the City in its policy 1.8 of the Municipal Development Plan, the South End Detailed Area Plan, indicates that the City should revise its zoning bylaw to provide that through-block development shall not be permitted for residential

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uses. She noted that the reasons given for this policy were clearly outlined in the supplementary staff report dated 9 August 1989. Alderman D. Grant explained that the report indicates that corner lots are exempted from this policy and that the Mitchell property was a corner lot and therefore development could occur. The Alderman further explained that the amendment was not required in order for the Mitchell development to proceed.

Alderman D. Grant went on to suggest that, if the amendment were approved, a through block development could occur on the remaining R-3 portion of the Mitchell property and would weaken the blockbusting provisions in Section 44F. Although this proposed amendment only applies to the south end area of the City, Alderman Grant suggested that it was not Council's wish to weaken the blockbusting provisions through this particular amendment. Noting that corner lots were clearly exempted, the Alderman suggested that this application had no bearing on the Mitchell property.

MOVED by Alderman D. Grant, seconded by Alderman Meagher that the amendment to Section 44F of the Peninsula portion of the Land Use Bylaw not be approved.

Responding to a question from Alderman Jeffrey, the City Manager pointed out that this amendment would not only apply to the Mitchell property. He further noted that staff were recommending that this provision be amended in keeping with the Planning Advisory Committee recommendation.

Following a further discussion, the motion was put and lost.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that the Peninsula portion of the Land Use Bylaw be amended by adding immediately after the word "line" of Section 44F, the following:

"For greater certainty, a corner lot may be subdivided and developed for R-3 uses in accordance with the requirements of this bylaw, notwithstanding that a through lot may be created."

Motion passed.

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Alderman Leiper retired during the discussion on this matter for a brief time and returned after the matter was dealt with.

PETITIONS AND DELEGATIONS

Petition Alderman Meagher Re: Civic Nos. 2065-2067-2069
Beech Street

Alderman Meagher submitted a petition signed by approximately 63 residents of Beech Street, Quinpool Road to Oak Street (east and west sides), who wish to continue to live in harmony with no loud, noisy late night music and all night parties.

Alderman Meagher asked that the petition be circulated to the community relation people of the Police Department in an effort to work out the problem.

Petition Alderman Jeffrey Re: Parking of Heavy Commercial
Vehicles on Central Avenue

Alderman Jeffrey submitted a petition signed by approximately 50 residents of Central Avenue concerning the ongoing problem caused by the continuous use and parking of heavy commercial vehicles by the occupants of 125 Central Avenue during all hours of the day and night.

Alderman Jeffrey asked that a copy of the petition be sent to the Chief of Police and the City Solicitor in an effort to resolve the problem.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee, from its meeting held on Wednesday, 4 October 1989, as follows:

Store Closing Hours/Tourist Zones

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor R. Grant that, as recommended by the Finance and Executive Committee, a public meeting date be scheduled (for early in January 1990) for the purpose of receiving input concerning store closing hours in the City of Halifax; and to

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consider the feasibility of "tourist zones" as well as the following motion from the Halifax Industrial Commission which had been forwarded to City Council in August 1989:

That Halifax City Council approve
extended business hours for all lands
zoned "I-3" in the City of Halifax.

and further that the meeting be arranged in a manner such that both sides of the issue can be adequately addressed.

Speaking in opposition to the motion, Alderman Flynn requested that the Board of Trade survey be circulated to all members of Council prior to setting the meeting date.

Alderman Flynn expressed the concern that Council had already debated the whole issue of store hours. He also expressed the concern that the report from the Board of Trade, including the survey, had not been provided to Council. Alderman Flynn emphasized that all the information from the Board of Trade should be received before Council decided to set a date for a public meeting on the matter.

Following a short discussion, it was MOVED by Alderman Flynn, seconded by Alderman Jeffrey that this matter be deferred pending the receipt of the report and survey from the Halifax Board of Trade.

Motion of deferral passed.

Responding to a question from Alderman Fitzgerald, Alderman Flynn confirmed that it was the intent of the original motion on this matter that the report and conclusions of the Board of Trade be received prior to Council making a decision whether or not to hold a public meeting. Alderman Flynn suggested if the information requested was received within two weeks that the matter could be dealt with at the next City Council meeting scheduled for 26 October 1989.

Parcel "A" and "B" - Vestry Street

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the southern half of Parcels "A" and "B" shown in the plan attached as Appendix "A", of the private and

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confidential staff report dated 18 September 1989, be conveyed by quit claim deed to William and Sharon MacIntyre, the owners of 5364 Vestry Street, for the sum of \$1.00 and that the remainder of the said Parcels be offered to the respective owners of the abutting properties fronting on Albert Street by quit claim deed for the sum of \$1.00 as outlined in the 18 September 1989 private and confidential staff report.

Motion passed.

Mainland North Common

A supplementary staff report dated 12 October 1989 was submitted.

A report dated 12 October 1989 from Kenneth W.J. Butler, President, Butler Bros. Limited, was also submitted.

The City Manager addressed the matter and referred to the report received from Butler Bros. Limited. In summary, the City Manager advised that Butler Bros. Limited have indicated that they accept the offer made by the City. However, the City Manager advised that Butler Bros. were unfortunately adding conditions which both logistically and practically cannot be accepted by the City. In addition, he noted that the conditions were very costly.

Referring to the reports submitted, Alderman Stone indicated that he agreed with the recommendation of the City Manager in that the conditions were substantial and too costly. However, Alderman Stone noted that he had requested, at the Committee of the Whole Council meeting, that staff consider the possibility of extending the acreage towards the Constant E. Hall lands to try to increase the acreage of the Mainland Common. Alderman Stone also noted that he had requested staff to consider the lands across the Bi-hi in the area of the Susie and Quarry Lakes as a possible extension of the Commons. Alderman Stone indicated that he would like to know the possibility of these alternatives before making a final decision on the matter. Alderman Stone also questioned whether the conditions imposed by Butler Bros. were able to be removed through staff negotiation.

The City Manager pointed out that it would take quite some time to determine the feasibility of the Susie Lake and Quarry Lake alternative and the alternative of extending the acreage to the Constant E. Hall lands. The

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City Manager went on to ensure that the 64 acres which are available at this time is a large enough parcel for a good size commons.

The City Manager suggested, however, that he may be able to obtain an answer with respect to the conditions associated with the land.

MOVED by Alderman Stone, seconded by Alderman Leiper that Council extend the offer made by the City to Butler Brothers Ltd. in a letter dated 5 October 1989 until 26 October 1989.

Motion passed.

Alderman Flynn asked that staff investigate the possibility of acquiring the Public Service Commission lands at the top of Main Avenue as a possible alternative site for the Mainland Common.

The City Manager agreed that staff would investigate Alderman Flynn's suggestion.

Following a further discussion, it was MOVED by Alderman Pottie, seconded by Alderman O'Malley that Recommendations (i), (ii), and (iii) of the confidential staff report dated 22 September 1989 be deferred for a two week period.

Motion passed.

Acquisition - Portion of 521 Purcell's Cove Road

MOVED by Alderman Hanson, seconded by Deputy Mayor R. Grant that, as recommended by the Finance and Executive Committee, a portion of Civic No. 521 Purcell's Cove Road be acquired from Mr. Ed Kiley for \$154,000 or (\$3,500 per acre subject to survey) less the cost of survey and subdivision (funds available in Account No. 142516, The Recreation Reserve Account).

Motion passed.

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Acquisition - Parcel H-137, Civic No. 393 HerringCove Road

MOVED by Deputy Mayor R. Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Parcel H-137, Plan TT-41-29875 be acquired from David and Sheena Green for \$6,100 as settlement in full (funds available in Account No. CJ012, the Herring Cove Road Widening Account).

Motion passed.

Acquisition - Civic No. 5183 Artz Street

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Civic No. 5183 Artz Street be acquired from Mrs. Alice Earle for \$50,000 as settlement in full (funds available in Account No. CK019, the Sundry Land Acquisitions Capital Account).

Motion passed.

Surface Improvements - Dresden Row

MOVED by Alderman Downey, seconded by Deputy Mayor R. Grant that, as recommended by the Finance and Executive Committee, City Council:

1. approve cost sharing of surface improvement works on Dresden Row and Annandale Street at a total cost of \$52,604.50;
2. transfer available funds from Account No. CC009 (Lower Water Street) and CC006 (Barrington Street) in the amounts of \$30,000.00 and \$7,604.50 respectively to Account No. CC018 for a revised total net of \$52,604.50 (budgeted funds);
3. authorize the disbursement of funds in Account No. CC018 in the total amount of \$52,604.50 to Park Lane Developments Limited for settlement in full of these cost shared improvements.

Motion passed.

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Amendment to Encroachment Ordinance - Use of Streets

This matter was deleted by the City Clerk during the setting of the agenda.

UNSM Resolutions

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the report of the Union of Nova Scotia Municipalities be tabled.

Responding to a question from Alderman Fitzgerald, the Chairman confirmed that the U.N.S.M. resolutions contained in the report which relate particularly to the City of Halifax could be pursued by Council.

Alderman Leiper agreed that it was worthwhile for the City of Halifax to pursue the resolutions, particularly those regarding parking meter regulations.

The motion was put and passed.

Cablevision Connection - Halifax Housing Authority
Seniors Manor

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council, by means of a letter from the Office of the Mayor, urge the Halifax Housing Authority to cooperate with the local cable T.V. station in offering to the seniors, who reside in senior citizen complexes, at a reduced cost the access to the additional channels for those who so desire to have this option.

Alderman Flynn requested that a letter also be forwarded to Halifax Cablevision urging them to cooperate with the Housing Authority in providing seniors, residing in seniors complexes, cable connection.

Alderman Downey urged members of Council to support the recommendation.

The motion was put and passed.

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Halifax 1999

MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the matter be referred to staff for report on costs, etc.

Alderman D. Grant commended Mayor Wallace on the initiative he had taken with respect to organizing this event and encouraged staff to bring back a report as soon as possible.

Speaking in support of the motion, Alderman Leiper pointed out that the Design Advisory Panel was also working on a similar project relative to the future design of the City and suggested that both projects could be incorporated.

In response to Alderman Leiper's comments, the Chairman suggested that perhaps a meeting should be set up with the Design Advisory Panel to discuss the matter.

The motion was put and passed.

His Worship Mayor Wallace brought to Council's attention the loss of a very prominent and well loved citizen of the City of Halifax, Mr. Sam Jacobson. Mayor Wallace noted that Mr. Jacobson had been Chairman for nearly a quarter of a century to the Halifax Water Commission.

Special Meeting - Cost-Sharing of Municipal Grants

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the meeting regarding municipal social services cost-sharing be arranged for Monday, 23 October 1989 at 7:30 p.m. in the Council Chamber, City Hall, and that the City Clerk arrange for notification of the public through newspaper advertisements.

A discussion followed with the Chairman advising that an agenda for the meeting would be prepared. He noted that the agenda would be followed at the meeting with a vote at the conclusion.

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The City Manager confirmed that Council would be provided with a staff report on the matter in preparation for this public meeting. Mr. Calda indicated that the report would be ready in time for the next Committee of the Whole Council meeting scheduled for 18 October 1989.

Alderman D. Grant emphasized that the availability of the MLA's be sought prior to advertising the public meeting. The Alderman further suggested that the question with respect to the delivery of the service between the Province and the Municipality, in addition to the cost sharing of the social services, should be part of the agenda for discussion.

The Chairman advised that the Mayor's Office would contact the City Clerk's Office tomorrow in terms of proceeding with the advertisement.

Following a further short discussion, the motion was put and passed.

Arm Patrol Services - Future Years

MOVED by Alderman Flynn, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, authority be granted to continue to have the Ports Canada Police provide patrol services on the Northwest Arm and adjacent waters at the final base rate of \$9,500.00 adjusted in accordance with the Consumer Price Index.

Alderman Flynn commented that the presence of the uniformed patrols in the waters of the Northwest Arm this year was certainly beneficial.

Alderman Meagher also commented on the sound performance by the Ports Police on the Arm over the summer.

The motion was put and passed.

Microcomputer Tender Equipment

Alderman Stone addressed the matter and advised that he had raised the item at the last Committee of the Whole Council meeting because there was a tender in the paper for 67 microcomputers. He noted that it was his understanding from staff on a previous occasion that they

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would only require essential microcomputers. Alderman Stone suggested that 67 microcomputers was a major order. Alderman Stone also referred to the letters from Minicomp Systems Limited concerning the microcomputers. He indicated that there were a number of questions raised in the letters which should be addressed by staff.

Alderman Jeffrey indicated that the authors of the letters were requesting an opportunity to address the Committee of the Whole and suggested that they be granted that opportunity.

The Chairman pointed out that a report from the City Manager would be provided to Minicomp Systems Ltd.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that the matter be referred to staff for a report and that the purchase of the computers be deferred pending receipt of further information to be brought back to the next Committee of the Whole Council meeting scheduled for 18 October 1989.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 4 October 1989, as follows:

Traffic Concerns - Young Avenue and Environs

A private and confidential report, dated 11 October 1989, was submitted by Chief Blair D. Jackson, Halifax Police Department.

Following is the recommendation from the 4 October meeting of Committee on Works:

that an enforcement plan for the Young Avenue area be brought forward for consideration in time for the next regular meeting of City Council scheduled for Thursday, 12 October 1989.

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MOVED by Alderman Deborah Grant, seconded by Alderman Jeffrey that a staff report be requested with regard to the following proposals:

- 1) the removal of the phrase "reasonable and prudent" from the Motor Vehicle Act as a defense for speeding violations;
- 2) representation on behalf of Halifax City Council to the Province to have speed limits in school zones and in other appropriate areas reduced below the 50 kph speed that is now allowed to be posted;
- 3) the installation of an illuminated crosswalk sign over the crosswalk at the corner of Young Avenue and Atlantic Street;
- 4) that caution signs be placed at either end of the bridge on Tower Road;
- 5) the possible shifting of the two-way stop signs from east-west to north-south on the intersections of Atlantic/Young Avenue; Southwood/Young Avenue; Point Pleasant Drive/Tower Road; Pinehill Drive/Tower Road; and Atlantic/Tower Road (i.e., whether the right-of-way could be reassigned to the street with the lower volume of traffic);
- 6) an enforcement plan for the Young Avenue area (to be brought forward by the Halifax Police Department).

In putting forward this motion, Alderman Grant noted that a report with regard to Item (6) has been promised by the Chief of Police in time for the 20 December meeting of Committee of the Whole Council.

The motion was put and passed.

Petition: Closure of Fleet Club Access

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the Committee on Works, in the interests of protecting the well-being of the residents of Russell Street, a letter be forwarded from the Office of the Mayor to the Base Commander, respectfully asking that consideration be given to the closure of the Russell Street

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access to the Fleet Club between the hours of 6:00 p.m. -
6:00 a.m.

The motion was put and passed.

**REPORT - COMMITTEE OF THE WHOLE,
BOARDS AND COMMISSIONS**

Motion Alderman O'Malley Re: Amendments to the
Parking Meter Bylaw - SECOND READING

This matter had been given First Reading during a regular meeting of Halifax City Council held on 28 September 1989 and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, 4 October.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that City Council give SECOND READING to the following amendments to the Parking Meter Bylaw, all as contained in the staff report dated 12 September 1989:

1. Section 6 is amended by inserting the following words and punctuation immediately following the word "dial" in line 4 thereof, "digital readout;"
2. Section 9 is hereby repealed.
3. Section 10A is repealed and the following substituted therefor:

It shall be an offence for the driver of a vehicle to permit the vehicle to be parked or left standing in any parking space regulated by a parking meter in excess of the maximum period allowed by the directions set forth on such parking meter, regardless of the number of coins deposited or whether the word "violation," or "expired," or "time expired," or any other similar phrase is visible on the parking meter relating to such parking space, unless such vehicle

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is parking pursuant to the provisions of section 11 herein.

4. Section 12 is hereby repealed.
5. Section 16 is amended by substituting for the word "with" in line 4 thereof, the word "within" and by substituting for the word "following" in line 5 thereof, the words "inclusive of."

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 4 October 1989, as follows:

Report - PAC Review Committee

MOVED by Alderman Deborah Grant, seconded by Alderman Pottie that, as recommended by the City Planning Committee, the report of the PAC Review Committee, dated 28 September 1989, be referred to staff for review and recommendation.

The motion was put and passed.

Case No. 5796: Development Agreement - Proposed
Block C-1B, Agricola, Russell, and Macara Streets:
SET DATE FOR PUBLIC HEARING

MOVED by Alderman O'Malley, seconded by Alderman Deborah Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application for a development agreement under Schedule "C", Section 83 of the Land Use Bylaw, to permit the construction of a new radio station on proposed Block C-1B, at the southwest corner of Russell and Agricola Streets.

The motion was put and passed.

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The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 8 NOVEMBER 1989** at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 5920: Development Agreement -
5576 and 5576 1/2 North Street
(SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application for a development agreement at 5576 and 5576 1/2 North Street to add a take-out restaurant to a grocery store/four unit apartment building.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 8 NOVEMBER 1989** at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 5723: Proposed Rezoning and Lot Modification Agreement - Lot RX, Wren Street - SET DATE FOR
PUBLIC HEARING

MOVED by Alderman Stone, seconded by Deputy Mayor Richard Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider an application for rezoning and lot modification agreement involving a 1.7 acre parcel of land located on the east side of Wren Street between Starling Place and Pioneer Avenue.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 22 NOVEMBER 1989** at 7:30 p.m. in the Council Chamber, City Hall.

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MOTIONS

Motion - Alderman Jeffrey Re: Administrative Order
for the Position of Manager (The Office of Aldermanic
Services)

Notice of Motion with regard to the establishment of an Administrative Order for the position of Manager, the Office of Aldermanic Services, had been given by Alderman Jeffrey during a regular meeting of Halifax City Council held on Thursday, 29 June 1989.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that City Council approve an amendment to the Halifax City Charter that will permit the generation of an Administrative Order to formally establish the "Office of Aldermen's Services," and that the City Solicitor prepare the appropriate legislation for introduction at the next sitting of the Nova Scotia Legislature.

Responding to comments made by His Worship Mayor Wallace, Alderman Jeffrey indicated that advice regarding the appropriate action to take in this regard had been obtained from the City Solicitor's Department.

The Acting City Solicitor indicated that the advice given to the Alderman had been premised on the basis of a draft Administrative Order previously submitted to the Legal Department, the crux of which dealt with a change in the relationship between the proposed Office of Aldermen's Services and the City Manager; namely that the newly-created office is not intended to come under the administrative control of the City Manager. Mr. Anstey emphasized that the issue in question is not the creation of a new office, but rather its relationship to the general administration of the City. In response to a further question from the Chairman, however, Mr. Anstey acknowledged that, technically speaking, the text of the motion (as submitted by Alderman Jeffrey) does not require a Charter amendment.

Mayor Wallace expressed concern that background information pertaining to this matter had not been circulated to all members of Council, nor had it been made available for review during this evening's meeting.

Speaking on the motion, Deputy Mayor Richard Grant indicated that, in order to ensure the best possible service

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to the Aldermen and, in turn, to their constituents, it was his opinion that the Office of Aldermen's Services should be autonomous to the regular administration of the City, similar to that of the office of the City's Auditor General.

In this context, the Deputy Mayor proposed an amendment to the motion, namely the insertion of the words "to permit such office to be an autonomous office responsible to the Aldermen;" subsequent to the phrase "Office of Aldermen's Services."

In answer to a question from His Worship the Mayor, Deputy Mayor Grant advised that his amendment is intended to remove Aldermanic staff from the control of the City Manager. Responding to a further question from Mayor Wallace, the Deputy Mayor indicated that he would have no difficulty in including the Office of the Mayor in the motion currently on the floor.

A discussion ensued, with Alderman Fitzgerald emphasizing that, in his opinion, the position of Manager of Aldermanic Services should not be above or outside the jurisdiction of the City Manager. To do so, he added, would represent the first step in the erosion of the City Manager-Council system of government as is presently in operation in the City of Halifax. He also noted that, unfortunately, this issue has created a division between the Aldermen and His Worship Mayor Wallace, and strongly recommended that a way be found (other than a Charter amendment) to resolve the matter without further dissension.

Deputy Mayor Grant made reference to the report from the Commission of City Government, noting that the "legislative" offices (including the Aldermen's Office) were not included in the Commission's review because they had not been considered part of the daily administration of the City. He emphasized that the demands on the Aldermen's Office and on the Aldermen themselves have grown to the point where what is needed is "people whose main concern is to service the Aldermen." He added that, in his opinion, it was not the role of the City Manager to recommend policies as to how the Aldermen are to be served, noting that, if the Aldermen feel they are not being properly served, it is their responsibility (not the City Manager's) to dismiss or discipline their staff members.

Alderman Flynn spoke in opposition to the motion on the floor, noting that while he saw nothing wrong in the

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Aldermen having their own office and staff, he feels very strongly that those staff members must remain under the authority of the City Manager. He emphasized that he does not agree that the City Manager system of government interferes with the effective operation of the Aldermen's Office, adding that to propose a Charter amendment of this sort represents, in his view, a very serious move on the part of Halifax City Council.

Responding to a question from Alderman Leiper, the Acting City Solicitor advised that, should the motion be approved during tonight's meeting, the matter would be brought back for further review and debate, once the proposed wording for the Charter amendment is available.

Addressing the motion currently on the floor, His Worship indicated that, as Mayor, he feels a responsibility to the citizens of Halifax to leave office with the City Manager-Council system intact. In this regard, he added that he himself has complete confidence that this system is the most appropriate one for the City of Halifax and that City residents do not wish to see it eroded in any way. He expressed very deep concern that if this amendment is approved, it represents merely the first department to be separated from the system.

His Worship asked for clarification as to the problems which supposedly exist with the present operation of the Aldermen's Office, emphasizing that, in his opinion, many of the Aldermen don't understand the implications of the motion currently on the floor. He pointed out that, if the intention is merely to change the title of various staff members in the Aldermen's Office or to develop different job descriptions, a Charter amendment is not required. He emphasized, however, that if the purpose of the motion is, in reality, to separate this office from the control of the City Manager, specific reasons should be put forward, particularly to assist Provincial representatives during their review of the proposed Charter amendment.

Mayor Wallace indicated that, in his opinion, all staff (including his own) should remain under the control and protection of the City Manager, and cautioned that, to do otherwise, will have the effect of setting up a "parallel" form of government. He further expressed concern that Council was being asked to make a decision on an issue on which they had not received sufficient information and could therefore not appreciate all the implications of their vote.

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** AMENDED PAGE **

After some further discussion, the motion was put and passed with nine (9) members of Council voting in support and three (3) voting against, as follows:

FOR: Deputy Mayor Richard Grant; and Aldermen Deborah Grant, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, and Stone (9).

AGAINST: Aldermen Fitzgerald, Leiper, and Flynn (3).

Motion Alderman Pottie Re: Increase in Various Fees
- FIRST READING

Notice of Motion with regard to this matter was given by Alderman Pottie during a regular meeting of Halifax City Council held on Thursday, 28 September 1989.

A report, dated 21 September 1989, was submitted by Mr. Donald F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that the amendments to various Ordinances (attached as Schedule "A" to the report from the City Solicitor, dated 21 September 1989) be given FIRST READING; and further, that the matter be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 18 October 1989) for consideration and report.

The motion was put and passed.

Motion Alderman O'Malley Re: R-2 Zones (Peninsula)

Notice of Motion with regard to this matter was given by Alderman O'Malley during a regular meeting of Halifax City Council held on Thursday, 28 September 1989.

Alderman O'Malley indicated that, through this motion, she hoped to ensure that new development in R-2 (General Residential) Zones outside the Peninsula Centre Area will be compatible with and retain the characteristics of existing neighbourhoods, as called for in the Municipal Planning Strategy.

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It was therefore moved by Alderman O'Malley, seconded by Alderman Pottie that a public hearing date be set to amend the R-2 (General Residential) Zone of the Peninsula section of the Land Use Bylaw as follows:

Amend Section 37 so that three- and four-unit apartment buildings require a minimum lot frontage of 80 feet and a minimum lot area of 8,000 square feet, as opposed to the current 60 feet and 6,000 square feet.

and further, that the matter be referred to the Planning Advisory Committee for review and recommendation.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 JANUARY 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Alderman O'Malley requested that appropriate newspaper advertisements pertaining to this matter be inserted as quickly as possible.

MISCELLANEOUS BUSINESS

Tender #89-152: Tremont Plateau Park (Phase III)

A staff report, dated 10 October 1989, was submitted.

MOVED by Alderman Stone, seconded by Alderman Pottie that authority be granted by Halifax City Council to award Tender #89-152 (pertaining to the Tremont Plateau Park, Phase III) to Elmsdale Landscaping Limited, the lowest bidder meeting specifications, for a bid price of \$135,600 (funds to be made available in Account Number 225206.20600.FA020, the Tremont Plateau Sportsfield Account).

The motion was put and passed.

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Tender #89-158: Graves Oakley Park (Phase III)

A staff report, dated 10 October 1989, was submitted.

MOVED by Deputy Mayor Richard Grant, seconded by Alderman Hanson that authority be granted by Halifax City Council to award Tender #89-158 (pertaining to the Graves Oakley Park, Phase III) to Turf Master's Landscaping, the lowest bidder meeting specifications, for a bid price of \$76,750.00 (funds to be made available in Account Number 225206.20600.FA075, the Graves Oakley Soccer Fields Account).

Following a brief questioning of the Director of Engineering and Works, the motion was put and passed.

QUESTIONS

Question Alderman Deborah Grant Re:
International Society of Arboriculture Conference

Alderman Deborah Grant brought to Council's attention a recent newspaper release which indicated that Halifax has been successful in its bid to host the International Society of Arboriculture (ISA) Conference in August of 1994, an event which is expected to attract approximately 1,000 registered delegates.

The Alderman emphasized that it was her understanding that Mr. Stephen King, the Assistant Superintendent of Parks and Grounds, had been very instrumental in bringing this conference to Halifax. She therefore recommended that a letter be sent to Mr. King on Council's behalf congratulating him on the success of the City's bid and commending him on his initiative in this regard.

Question Alderman Deborah Grant Re:
Meetings with His Worship the Mayor and Members of Council

Alderman Deborah Grant made reference to an earlier series of private and informal meetings convened by His Worship the Mayor with members of Council, and asked if it was His Worship's intention that these meetings be continued.

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Mayor Wallace indicated that a decision had since been reached that such private meetings are inappropriate unless they pertain to labour negotiations or to personnel matters. He indicated, however, that he would be consulting with each Alderman on this matter over the next several months.

Question Alderman Fitzgerald Re:
Senior Citizen Housing

Alderman Fitzgerald made reference to an earlier request that a study be undertaken into the City's need for senior citizen housing. In his remarks, the Alderman emphasized that he understood from the Halifax Housing Authority that their waiting list is extremely long, and therefore asked for information from staff as to when he might expect the assessment and needs report.

Question Alderman Fitzgerald Re:
Buskers Festival

Alderman Fitzgerald made reference to the fact that over the last several years Council has received requests for funding (either through its budget review process or by way of application to its Tax Concessions and Grants Committee) from the organizers of the Buskers Festival. He emphasized that one of the City's conditions with regard to consideration of requests for funding is the submission of audited financial statements from the applicant.

In this context, the Alderman asked that Festival organizers be encouraged to submit audited statements for their 1989 undertaking so that Council will be able to deal with the 1990 requests more expeditiously.

Question Alderman Fitzgerald Re:
Garden Crest Apartments - Summer Street

Alderman Fitzgerald asked that members of Council be provided with information from staff as to the current status of the Garden Crest Apartments on Summer Street.

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Question Alderman Fitzgerald Re:
Halifax Mardi Gras

Alderman Fitzgerald asked that staff undertake to ensure that such "public needs" as washroom facilities, broken glass, etc. are being adequately addressed with regard to the forthcoming Mardi Gras celebrations in downtown Halifax.

Question Alderman Fitzgerald Re:
St. Andrews School Building

Alderman Fitzgerald asked for an update from the City Manager as to the status of the proposed renovations/repairs to the St. Andrews School building.

Question Alderman Fitzgerald Re:
Demolition Permit Procedures - Heritage Buildings

Alderman Fitzgerald referred to the concerns previously expressed by the Heritage Advisory Committee with regard to the demolition of heritage structures, and asked if staff could be requested to review existing demolition permit procedures to see if changes and/or improvements can be effected.

Question Alderman Fitzgerald Re:
Rooming Houses

Alderman Fitzgerald referred to the problems caused in several of the City's wards by "rooming houses" and reminded the City Manager that he had previously indicated that a staff report on this matter would be forthcoming.

Question Alderman O'Malley Re:
Oland's Brewery - Soot Problem

Alderman O'Malley made reference to concerns raised during the 4 October meeting of the Finance and Executive Committee with regard to the recent difficulties experienced by residents of Russell Street by soot found to be emanating from Oland's Brewery. She added that, at that time, she had asked that a meeting be arranged with Brewery representatives and with other individuals (such as staff of the Halifax Fire

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Department, Building Inspection and the Department of the Environment) to discuss this problem in depth, and asked for information as to whether this meeting had, in fact, been scheduled.

The City Manager indicated that he would investigate the matter and advise the Alderman as quickly as possible.

Question Alderman O'Malley Re:
Entrance to the Merv Sullivan Park

Alderman O'Malley made reference to complaints received concerning the number of individuals who congregate at the entrance to the Merv Sullivan Park (on Novalea Drive/Leeds Street) on a nightly basis, noting that there have also been reports of drinking and vandalism to cars. Under the circumstances, the Alderman asked for information from staff as to whether this entrance to the Park could be closed.

The City Manager indicated that it was his understanding that staff had recently held an on-site meeting to review possible solutions to this problem. He added that he would research the matter and advise Alderman O'Malley as quickly as possible.

Question Alderman Downey Re:
Repairs to Sackville Street

Alderman Downey made reference to various complaints regarding damage done to vehicles as a result of the asphalt surfacing recently applied to Sackville Street, and asked for information as to whether a claim against the City could be lodged in these kinds of situations.

The City Manager suggested that claims for damages should be submitted in written form to the City, adding that the requests would then be processed through the usual channels.

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Question Alderman Stone Re:
Installation of Supermailboxes

Alderman Stone made reference to Council's previous resolution (made during its 31 August meeting) with regard to the placement of Canada Post "Supermailboxes." The Alderman noted that he had recently received a letter from Mr. T. A. MacDonald (Canada Post - Delivery Services) indicating that the installation of supermailboxes in the Clayton Park West Subdivision will not be proceeding because the Department does not have the City's cooperation in this regard.

Adding that he would supply the City Manager with a copy of Mr. MacDonald's letter, Alderman Stone requested that staff arrange a meeting with Mr. MacDonald to attempt to devise a solution to these problem.

Question Alderman Jeffrey Re:
R-2AM and R-2P Zones (Mainland Area)

Alderman Jeffrey noted that the Planning Advisory Committee had previously been requested to undertake a review of the R-2AM and R-2P Zones, particularly as they pertain to Ward 9. Emphasizing that this request had been made approximately eight weeks ago, the Alderman urged that the matter be addressed by the Committee as quickly as possible.

Question Alderman Jeffrey Re:
Traffic Concerns - Halifax Police Department

Alderman Jeffrey made reference to a discussion of City-wide traffic problems which had taken place during the 4 October meeting of the Works Committee, and asked for comments (in report form) from the Chief of Police as to the viability of establishing a special squad of regular police officers who would be responsible for dealing solely with such traffic concerns as speeding, crosswalk regulations, parking violations, etc., similar to what is currently the practice in Metropolitan Toronto.

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Question Alderman Meagher Re:
Common Taxi Stand - Almon Street

Alderman Meagher made reference to Council's previous deliberations (28 September 1989) concerning the removal of the Almon Street common taxi stand, and commended the City's Traffic Authority on his recently-submitted Information Report.

The Alderman commented that, in his opinion, a taxi stand on Almon Street in the vicinity of the Bus Terminal will become even more advantageous with the forthcoming reductions in VIA Rail service, and urged that the Traffic Authority be encouraged to work with the Halifax Taxi Commission to find an acceptable solution to this problem.

Question Alderman Meagher Re:
Ardmore Hall

Alderman Meagher made reference to the building known as "Ardmore Hall" (located at the corner of North and Oxford Streets), suggesting that it might prove a viable source of seniors housing.

The Alderman therefore requested that the City Manager, in conjunction with representatives of Nova Scotia Housing and the Halifax Housing Authority, investigate this possibility and submit a report for Council's consideration.

Question Alderman Hanson Re:
John W. MacLeod School

Alderman Hanson made reference to various problems experienced at the John W. MacLeod School, and asked if staff of the City's Parks and Grounds Division could be requested to install a green buffer along the south property line of the School.

Question Deputy Mayor Richard Grant Re:
Meeting Re: City Club Property

On behalf of Deputy Mayor Richard Grant, Alderman Hanson asked for information as to when a meeting is expected to be called by the City with the Neptune Theatre Board regarding the City Club property. He added that the Deputy

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Mayor would appreciate having this meeting convened as quickly as possible.

Question Deputy Mayor Richard Grant Re:
Membership - Arts and Cultural Committee

On behalf of Deputy Mayor Richard Grant, Alderman Hanson asked for information as to whether a representative of the City's performing arts community had been appointed to the Arts and Cultural Committee. In this context, the Deputy Mayor also asked that consideration be given to establishing a subcommittee of the Arts and Cultural Committee specifically relating to the performing arts.

NOTICES OF MOTION

Notice of Motion Alderman A. Flynn Re: Motion of Reconsideration - Item 16.1, "Motion Alderman Jeffrey Re: Administrative Order for the Position of Manager - the Office of Aldermanic Services"
(Halifax City Council - 12 October 1989)

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council (scheduled for **Thursday, 26 October 1989**) he proposes to introduce a Motion of Reconsideration with regard to Alderman Jeffrey's motion of 12 October; namely, to amend the Halifax City Charter to permit the generation of an administrative order to formally establish the Office of Aldermen's Services.

Notice of Motion Alderman W. Stone Re:
Proposed Amendment to Ordinance 112,
the Encroachment Ordinance

Alderman Stone gave Notice of Motion that at the next regular meeting of Halifax City Council (scheduled for **Thursday, 26 October 1989**) he proposes to introduce for First Reading an amendment to Ordinance 112, the Encroachment Ordinance, the purpose of which is to provide for the levy of a fee for the use of City streets for construction purposes.

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ADDED ITEMS

Award of Tender #89-42: George Dixon
Horseshoe Pitches

This matter had been added to the agenda at the request of the City Clerk.

A staff report, dated 4 October 1989, was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that Tender #89-42, with regard to the George Dixon Horseshoe Pitches (as shown on Plan No. TT-43-30278), be awarded to Terra Nova Landscaping for a tender price of \$15,482.00 and a total project cost of \$19,000.00.

The motion was put and passed.

Appointments

This matter had been added to the agenda at the request of the City Clerk.

A report, dated 12 October 1989, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Meagher, seconded by Alderman Downey that Mr. Raymond LeBlanc be appointed as a Director of the Mainland South Community Centre, term to expire on 30 January, 1991.

The motion was put and passed.

Civic No. 3326 Dutch Village Road
- Injunction (Alderman Jeffrey)

This matter was added to the agenda at the request of Alderman Jeffrey who made reference to a decision made by Council (at a special meeting on 4 October 1989) to authorize the City Solicitor to seek an injunction against the use of

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this property as a bottle exchange. In his remarks, the Alderman noted that the City Solicitor's Department has since indicated that various other information should be added to Council's resolution in this regard.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Fitzgerald that the City Solicitor be authorized to make an application for an injunction restraining the operation of the bottle exchange at 3326 Dutch Village Road from continuing their bottle exchange operation, and that the City Solicitor be empowered to do so by virtue of the Planning Act and City of Halifax Ordinance Number 131, the Building Code Act, the Halifax City Charter, and the Land Use Bylaw.

The motion was put and passed.

Day Care Centres (Alderman Meagher)

This matter was added to the agenda at the request of Alderman Meagher who submitted a letter from Ms. Beverly Brown, 2397 Clifton Street, regarding the operation of day care centres. The Alderman asked that this correspondence be forwarded to Mr. Harold D. Crowell, Director of the City's Social Planning Department, for a response.

There being no further business to be discussed, the meeting was adjourned at approximately 11:55 p.m.

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

EDWARD A. KERR
CITY CLERK

mmd*K

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**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
City Hall
Halifax, NS
18 October 1989
7:30 p.m.

A special meeting of Halifax City Council, Public Hearings was held at this time.

After the meeting was called to order, the members of Council attending joined in reciting the Lord's Prayer.

PRESENT: His Worship Mayor Wallace, Chairman; Aldermen D. Grant, Fitzgerald, Downey, Meagher, O'Malley Pottie, Hanson, Jeffrey, Flynn, and Stone.

ALSO PRESENT: Mr. P. Calda, City Manager; Mr. Barry Allen, City Solicitor, City Clerk, and other members of City staff.

At the request of the City Clerk the following items were added to the agenda being referred from a meeting of the Committee of the Whole Council held earlier this day:

Case 5803: Proposed Development Agreement - 2046 Maynard Street

This matter had been forwarded to this meeting from a meeting of the City Planning Committee held earlier on this date.

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the entering into of a development agreement for the property at 2046 Maynard Street for the purpose of permitting construction of four dwelling units and the offices of an architect, provided that the development is substantially in conformance with Plans No. P200/17357-66 of Case No. 5803.

The motion was put and passed.

The City Clerk advised that the date for the public hearing would be scheduled for **Wednesday, 8 November 1989,** beginning at 7:30 p.m. in the Council Chamber.

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Case No. 5717 - Proposed Development Agreement - 1877-79
Hollis Street

This matter had been forwarded to this meeting from a City Planning Committee meeting held earlier on this date.

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider an application for a development agreement to permit 1877-1879 Hollis Street to be occupied for university purposes by the Nova Scotia College of Art and Design, as generally shown on Plans No. P200/16891-16902 and 17519 of Case No. 5717.

The motion was put and passed.

The City Clerk advised that the date for the public hearing would be scheduled for **Wednesday, 8 November 1989**, beginning at 7:30 p.m. in the Council Chamber.

Report - PAC Amendment to the Land Use Bylaw: Definition of Height, South End and Peninsula

This matter was moved to this meeting from a City Planning Committee meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the removal of the special definition of height from the Land Use Bylaw as it relates to permitting the top story of a building to extend through the established height precinct in the South End and Peninsula Centre areas, as follows:

Height South End and Peninsula Centre Areas, shall be the height shown on ZM-17, Height Map, said height being the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building between the building and the fronting street. Further, the permitted height may be exceeded to accommodate the top story of a building if such story extends through the maximum height permitted.

NOTE: Only the underlined portion indicated above is proposed for deletion.

The motion was put and passed.

The City Clerk advised that the date for the public hearing would be scheduled for **Wednesday, 22 November 1989**, beginning at 7:30 p.m. in the Council Chamber.

Public Hearings
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**Motion Alderman Pottie Re: Increase in Various Fees
FOR CONSIDERATION AND REPORT**

This matter had been forwarded to this meeting from a Finance and Executive Committee meeting held earlier on this date.

This matter had been given FIRST READING during a regular meeting of Halifax City Council held on Thursday, 12 October 1989.

MOVED by Alderman Hanson, seconded by Alderman Pottie that as recommended by the Finance and Executive Committee, City Council give SECOND READING to the amendments proposed for various Ordinances (attached as Schedule "A" to the report from the City Solicitor, dated 21 September 1989).

The motion was put and passed.

Council then considered the regularly scheduled items on the agenda, as follows:

**Public Hearing Re: Case No. 3745: Contract Development -
Sobey's, Windsor Street**

A public hearing into the above matter was held at this time.

Mr. Paul Dumphy, Planner, Development and Control, addressed Council and outlined, using diagrams, the application of Sobeys Inc. to enter into an amending agreement, thereby amending the existing agreement known to the City of Halifax as Case No. 3745 and registered at the Registry of Deeds in Book 3416 at Page 1082-1088, to permit an addition to the existing supermarket (Sobeys) at 2617-19 Windsor Street, as outlined in the staff report, dated 11 July 1989.

Mr. Bob Doyle, representing, the applicant, Sobeys Inc., addressed Council and indicated that he considered staff's report to be an accurate account of the wishes of the applicant, and requested Council's approval on this matter.

Alderman Meagher addressed the matter and advised that he had discussed this matter with some of the residents of the area in question, and although they did not have any objections to it, concerns were expressed regarding the delivery of goods, and garbage pick up.

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Alderman Meagher pointed out that refrigeration trucks were delivering goods to the Sobey's Store on Windsor Street as early as 4:00 a.m. He added that the residents were concerned that the proposed extension to Sobey's would mean an increase in this kind of traffic and noise, and they requested that Sobey's not receive deliveries to their store prior to 7:00 a.m. Alderman Meagher also advised that the residents felt that the disposal of garbage at Sobey's was not adequately carried out, and that the cleaning of the garbage containers was not satisfactory.

In response to Alderman Meagher's concern, Mr. B. Doyle, representing Sobey's Inc., advised that he would bring these concerns to the attention of the Sobey's Store on Windsor Street as well as to the management of Sobey's. Mr. Doyle assured Alderman Meagher that, in the future, there would be no delivery trucks arriving before 7:00 a.m. at Sobey's.

There were no further persons wishing to address this matter.

MOVED by Alderman Meagher, seconded by Alderman Downey that this matter be forwarded to Council without recommendation.

The motion was put and passed.

Public Hearing Re: Case No. 5409: Purdy's Wharf Development-
Street Acceptance

A public hearing into the above matter was held at this time.

Mr. W. D. Campbell, Development Administrator, addressed Council and outlined, using diagrams, the application for the acceptance of the Purdy's Wharf Development loop driveway as a City street, and to lay down street lines on the official City plan of the City, as outlined on Sketches 1 and 2 of the staff report dated 31 August 1989.

Mr. J. Lindsay, representing Purdy's Wharf Development Ltd., addressed Council and requested Council's approval on this matter. He indicated that if this application was approved, it would make a significant difference to the traffic flow into and around Purdy's Wharf. Mr. Lindsay suggested that, with the colder weather approaching, any haste which could be given to a decision on this matter would be certainly be appreciated.

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Mr. Bill MacInnis, solicitor for the Halifax Sheraton Hotel, addressed Council and indicated that the Sheraton Hotel, as the abutting landowner, was concerned about the proposed development agreement.

Mr. MacInnis indicated that, in his opinion, if the development proceeds as presented, then traffic going northbound would bottleneck in front of the Xerox Building. Mr. MacInnis explained that his understanding of the development was that the traffic that would enter off of Lower Water Street, in front of the Sheraton Hotel, would have the right-of-way and be able to proceed straight through, and that traffic going south on that street would be required to yield or stop for the northbound traffic. Mr. MacInnis pointed out that this was his initial understanding of the development agreement, but that it was not what was presented tonight.

Mr. MacInnis suggested that, in his opinion, staff's recommendation on this matter would result in traffic becoming bottlenecked, and in order to prevent this, the north flow of traffic should be continual, and the traffic coming south should be required to stop before making a left hand turn.

Mr. MacInnis advised that he was also concerned of the submission by Purdy's Wharf to extend the size of the proposed barricade from 40 ft. to 75 ft. He explained that a 75 ft. barricade would block a portion of the Sheraton's service driveway, thus, making it difficult for delivery trucks to back in to the Sheraton. Mr. MacInnis requested that this proposed barricade be designated as 40 ft. in length rather than the proposed 75 ft.

In conclusion, Mr. MacInnis requested Council, when making its decision on this matter, consider that the northbound traffic be given the right-of-way; that the proposed barricade be constructed in such a manner that it gives the least amount of interference towards Sheraton's driveway as possible; and that, no parking signs and tow away signs be installed between the Sheraton's driveway and Purdy's wharf on both sides of the street. Mr. MacInnis noted that traffic congests at peak times in this area due to cars stopping outside the Xerox building either to pick people up or let people off.

Mr. MacInnis submitted a letter of concern from Claude Levasseur, Executive Assistant Manager, Halifax Sheraton, dated 18 October 1989.

There were no further persons wishing to address this matter.

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Mr. MacInnis submitted a letter of concern from Claude Levasseur, Executive Assistant Manager, Halifax Sheraton, dated 18 October 1989.

There were no further persons wishing to address this matter.

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18 October 1989

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that this matter be forwarded to Council without recommendation.

The motion was put and passed.

Public Hearing Re: Case No 5006: Clayton Park West (Side Yards)

A public hearing into the above matter was held at this time.

Mr. W. D. Campbell, Development Administrator, addressed Council and outlined the proposed amendment to the Clayton Park West development agreement to allow for side yard controls, as presented in the staff report of 7 September 1989.

Mr. Michael Willet, Clayton Developments Ltd., addressed Council and requested Council's approval on the proposed amendment.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that Council amend the Clayton Park West development agreement executed on 19 October 1988 to replace Clause 5(d) with the following:

Single detached dwelling uses shall meet the requirements of the Land Use Bylaw, Mainland Area, Single Family Dwelling (R-1) Zone, with the exception that minimum side yards of 4 feet shall be permitted, provided that a minimum distance of 12 feet is provided between dwellings.

The motion was put and passed.

At 8:05 Alderman Leiper enters the meeting.

Public Hearing Re: Case No. 5929: Development Agreement - 2507 Brunswick Street (McCully House)

A public hearing into the above matter was held at this time.

Mr. Gary Porter, Planner, Development Control, addressed Council and briefly outlined the application by Salter Street Films to enter into a development agreement with the City that would enable the applicant to restore and rehabilitate 2507 Brunswick Street for use as their corporate

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headquarters and post production sound studio, as illustrated in the staff report, dated 25 September 1989.

Mr. Robert Parker, Robert Parker Associates, Architects and Planners, addressed Council and advised that he was representing the applicant, Salter Street Films Ltd. Mr. Parker, using slides, gave a presentation outlining the restoration program that Salter Street Films were proposing for McCully House (a copy of this presentation may be found in the official file of this meeting).

At 8:10 Alderman O'Malley retired from the meeting.

In his presentation, Mr. Parker advised that the applicant, Salter Street Films, intend to use the property as their corporate headquarters and a post production sound studio. He then briefly reviewed the history and presented photographs of McCully House from the late 1800's to present day.

Mr. Parker presented the proposed interior and exterior design plans for McCully House. Mr. Parker advised that the architects have done extensive historical research on the House and were aware of the importance of its heritage aspects and of the architectural elements. He added that the restoration work would be replicated where appropriate to match original designs or circa 1867 patterns.

Mr. Parker noted that the applicant was prepared to set aside several days per year in which an open house could be held and heritage groups would be permitted to take tours through the house. He advised that other visitations would be by reasonable notice. Mr. Parker added that he would like the City's Heritage Advisory Committee, and other heritage groups to help participate in the furnishing and the interpretation of the proposed front drawing room, which was proposed to be in Commemoration of Jonathan McCully.

Mr. Parker noted that there has been some suggestion of documenting the restoration on video or 16mm film. He added that Salter Street Films was prepared to do the shooting of the footage, but that they do not have a sponsor for the film and final editing, and advised that he would leave that matter with City Council for consideration.

In his conclusion, Mr. Parker advised that much of the restoration work to McCully House, such as roof work and stucco work, should be started as soon as possible because of the colder weather approaching, and requested Council's decision on this matter as soon as possible.

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Mr. Paker then thanked the Heritage Advisory Committee, City Staff, the Federation of Nova Scotia Heritage, and Heritage Trust for their assistance on this matter.

A letter, dated 18 October 1989, from Elizabeth Pacey, President, Heritage Trust of Nova Scotia, 1657 Barrington St. #522, Halifax, NS B3J 2A1 was submitted.

There were no further persons wishing to address this matter.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, City Council approve the application by Salter Street Films Ltd. for a development agreement to permit the use of 2507 Brunswick Street as offices and post production sound Studio, and FURTHER, that Council rescind its motion of 12 February 1987 approving the entering into of a development agreement to permit heritage offices, library and related uses including a residential/caretakers suite at 2507 Brunswick Street.

The motion was put and passed.

Public Hearing Re: Case No. 5933: Appeal of Minor Variance Refusal- Lot 57 Chain Lake Drive

A public hearing into the above matter was held at this time.

At 8:20 Alderman O'Malley returns to the meeting.

A staff report, dated 22 September 1989, was submitted.

Mr. Paul Dumphy, Planner, addressed Council and outlined the reasons for refusal of a minor variance application of the Halifax Industrial Commission for Lot 57, Chain Lake Drive as illustrated in the staff report.

A report, dated 13 October 1989, from the Halifax Industrial Commission was submitted.

Mr. D. Corkum, Executive Director of the Halifax Industrial Commission, addressed Council and reviewed the report, dated 13 October 1989, from the Halifax Industrial Commission.

Mr. Corkum pointed out that the request for a minor variance for Lot 57 in the Bayers Lake Area of the Halifax Industrial Park was a particular situation in the development of Bayers Lake, and that in no case other than this situation

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18 October 1989

would there be encroachment on the requirement of a 200 ft. setback. He added that the original 200 ft. setback was primarily established for the purpose of developing Ragged Lake and not Bayers Lake. In summary, Mr. Corkum advised that the Halifax Industrial Commission request Council's approval to permit a minor variance for Lot 57, Chain Lake Drive.

In response to a question, Mr. Corkum advised that drainage would be required to be directed toward Chain Lake Drive. He then explained how the overall drainage system worked in the Park.

Mr. Corkum responded to questions from Council.

Alderman Leiper addressed the matter and expressed concern regarding the environmental impact that this appeal, if approved, could have on Bayers Lake. She suggested that, if time permitted, this matter be referred to the Lakes and Waterways Advisory Committee for comment.

There were no persons wishing to address Council on this matter.

A brief discussion ensued and it was MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that this matter be forwarded to Council without recommendation, and that the Lakes and Waterways Advisory Committee be requested to report by the next regular meeting of City Council, scheduled for 26 October 1989, 7:30 p.m., on the environmental impact that this application, if approved, could have on Bayers Lake.

The motion was put and passed.

**Public Hearing Re: Case No. 5855: Minor Variance - 14
Melville Avenue**

A public hearing into the above matter was held at this time.

A staff report, dated 19 September 1989, was submitted.

Mr. Paul Dumphy, Planner, addressed Council and reviewed application for a minor variance of the side yard requirement of the Land Use Bylaw for the property located at 14 Melville Avenue. Mr. Dumphy advised that the minor variance was approved on 4 July 1989 and that the owner of the vacant lot at 16 Melville Avenue has appealed the decision.

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There were no persons wishing to address this matter.

A letter of opposition, dated 20 July 1989, from Evelyn B. Alders, 2775 Windsor Street, Halifax, NS, B3K 5E3 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that this matter be forwarded to Council without recommendation.

The motion was put and passed.

8:43 p.m. There being no further business to discuss, the meeting adjourned.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

/sm

HEADLINES FOR CITY COUNCIL MINUTES
of 10/18/89

Case 5803: Proposed Development Agreement - 2046 Maynard St.	.... 666
Report - PAC Amendment to the Land Use Bylaw: Definition of Height, South End and Peninsula	.... 667
Case No. 5717 - Proposed Development Agreement - 1877-79 Hollis Street	.... 667
Public Hearing Re: Case No. 3745: Contract Development - Sobey's, Windsor Street	.... 668
Motion-Alderman Pottie Re: Increase in Various Fees FOR CONSIDERATION AND REPORT	.... 668
Public Hearing Re: Case No. 5409: Purdy's Wharf Development Street Acceptance	.... 669
Public Hearing Re: Case No. 5006: Clayton Park West (Side Yards)	.... 671
Public Hearing Re: Case No. 5929: Development Agreement - 2507 Brunswick Street (McCully House)	.... 671
Public Hearing Re: Case No. 5933: Appeal of Minor Variance Refusal - Lot 57 Chain Lake Drive	.... 673
Public Hearing Re: Case No. 5855: Minor Variance - 14 Melville Avenue	.... 674

**CITY COUNCIL
M I N U T E S**

Council Chamber
City Hall
Halifax, Nova Scotia
26 October 1989
8:00 P. M.

A regular meeting of Halifax City Council was held on the above date.

After the meeting was called to order, members of Council, led by Alderman R. Hanson, joined in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace; and Aldermen Fitzgerald, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Leiper, Flynn, and Stone.

ALSO PRESENT: City Manager, City Solicitor, City Clerk, and other members of City staff.

Appointment of the Deputy Mayor

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that ALDERMAN MOIRA LEIPER (Ward 10) be nominated for the position of Deputy Mayor for the forthcoming year.

There were no further nominations in this regard.

The motion was put and passed unanimously.

His Worship Mayor Wallace congratulated the new Deputy Mayor on her appointment and presented her with a bouquet of red roses on behalf of former Alderman J. Albert Walker. A second bouquet of fall flowers were presented by Alderman Fitzgerald on behalf of her friends at Fairview Junior High.

Deputy Mayor Leiper expressed her appreciation to all members of Council for giving her the opportunity of serving the City in this capacity, emphasizing that she will do everything possible to fulfill the role of Deputy Mayor.

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In welcoming the new Deputy Mayor, Mayor Wallace acknowledged the contributions made by Alderman Richard Grant in that capacity over the last year.

8:10 p.m. - Alderman Deborah Grant enters the meeting.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 12 October, and of a special meeting held on Wednesday, 18 October, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of the City Clerk, Council agreed to add:

- 20.1 Tender #89-140 - Bulk Highway Salt
- 20.2 Motion Alderman Pottie Re: Increase in Various Fees - SECOND READING
- 20.3 Appointments
- 20.4 Overnight Winter Parking Ban (Alderman Downey)
- 20.5 Senior Citizen Manors - Cable Connections (Alderman Downey)
- 20.6 Public Utilities Board Decision: Halifax-Dartmouth Bridge Commission (Alderman O'Malley)
- 20.7 George Dixon Pool - Conceptual Design/Rendering

At the request of Alderman Fitzgerald, Council agreed to add:

- 20.8 Civic Hospital

The agenda, as amended, was approved on a motion by Alderman Flynn, seconded by Alderman Stone.

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DEFERRED ITEMS

Case No. 5328: Minor Variance Appeal
- 2107 Oxford Street

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 12 October 1989 (a public hearing had been held on 23 August 1989).

Correspondence, dated 25 October 1989, was submitted from Mr. Daniel J. Clarke, solicitor for the appellant, Mr. Sarkas Metlej.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that City Council uphold the decision of the Development Officer to refuse the request for a minor variance at 2107 Oxford Street.

Alderman Flynn expressed concern that the matter should more appropriately be deferred until such time as the Peninsula North Plan has been approved. In this context, he pointed out that, to his knowledge, there has been no opposition from abutters with regard to the present situation at 2107 Oxford Street, and suggested that the matter should be more fully investigated through the usual channels in order to demonstrate Council's good faith both with the developer in question and with area residents.

Responding to a question from Alderman Jeffrey, the City Solicitor advised that, if the Peninsula North Plan (as presently proposed) is approved, a modification to permit a four-unit building on this site would still be necessary.

After some further discussion, the motion was put and passed with Aldermen Deborah Grant, O'Malley and Jeffrey abstaining due to their absence from the 23 August public hearing.

Mainland North Common

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 12 October (at that time staff had been requested to continue their negotiations with the owners of certain properties being considered in conjunction with the acquisition of land for the Mainland North Common). The matter had also been raised by Alderman Jeffrey in a subsequent meeting of the Finance and Executive Committee held on Wednesday, 18 October.

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Two supplementary staff reports (one dated 17 October, the other 26 October 1989) were submitted.

The City Manager presented a brief overview concerning the results of staff's negotiations with Butler Brothers Limited. In his remarks, Mr. Calda noted that, owing to the successful conclusion of these negotiations, staff will be coming back to Council within the next several weeks to request authorization for the development of a conceptual plan for the Common, such plan to identify the major features of the project and the location of pertinent roadways. The City Manager pointed out that, once a conceptual plan has been finalized and the land requirements established, the City will then be in a position to offer any surplus lands (together with some other land parcels in this area) on the open market for redevelopment purposes.

MOVED by Alderman Stone, seconded by Deputy Mayor Leiper that Council:

- i) immediately acquire the lands of Butler Brothers Ltd., (shown as Parcel A on the map attached to the supplementary staff report of 26 October 1989) for a unit price of \$24,750 per acre, with a total price of approximately \$2,227,500. Funds will be paid from the Sale of Land Account. The final price will be determined by survey;
- ii) immediately acquire the lands of Cadillac Developments Ltd. (shown as Parcel C on the map attached to the supplementary staff report of 26 October 1989), extending to some 30 acres, for a unit price of \$22,500 per acre, with a total price of approximately \$675,000. Funds will be paid from the Sale of Land Account. The final price will be determined by survey;
- iii) authorize staff to continue to negotiate with Airway Broadcasting for approximately 34 acres of its land (shown as Parcel B on the map attached to the supplementary staff report of 26 October 1989), for a unit price similar to the value in (i) above, with the condition that, if an agreement is not arrived at by 15 November 1989, the City will proceed to expropriate.

In putting forward this motion, Alderman Stone expressed satisfaction that the City and Butler Brothers Limited had been successful in reaching an agreement on these lands, emphasizing that the Mainland North Common will be a very welcomed addition in that part of the City.

Alderman Jeffrey made reference to a piece of City-owned land in the vicinity of the proposed Mainland North

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Common (possibly on the corner of Highway 102 and Dunbrack Street), and asked for information from staff as to its acreage as well as to its potential for sale and redevelopment.

The motion was put and passed.

His Worship Mayor Wallace observed that the passing of this motion marks the end of a long effort to fulfill Council's commitment to the residents of Mainland North to provide them with a Common area. He added that tonight's decision will undoubtedly be viewed in the years to follow as being equally as sound as that made years ago to establish the present Common in the City's centre.

Case No. 3745: Contract Development -
Sobeys (Windsor Street)

A public hearing concerning this matter had been held on Wednesday, 18 October 1989.

Correspondence, dated 25 October, 1989, was received from Mr. Robert F. Doyle, I.S.P., Design Technologist, Sobeys Inc.

In his remarks on this matter, Alderman Meagher noted the correspondence dated 25 October 1989 received from Mr. Robert F. Doyle, a representative of Sobeys Inc., with reference to various concerns raised during the public hearing process. While acknowledging that the undertakings agreed to by Mr. Doyle are not technically binding, the Alderman emphasized that it is his sincere hope that, in the years to come, Sobeys will make every effort to (1) discontinue deliveries prior to 7:00 a.m.; and (2) ensure that the area around the compactor is kept clean.

Alderman Meagher pointed out, however, that, to date, Sobeys at its Windsor Street location, has been what he termed "an asset to the neighborhood," emphasizing that by making the above request he did not wish to imply that complaints against the company had been received in the past.

It was subsequently moved by Alderman Meagher,
seconded by Alderman Downey that:

1. City Council enter into an amending agreement thereby amending the existing agreement known to the City of Halifax as Case No. 3745 and registered at the Registry of Deeds in Book 2615 at Page 1222-1223, to permit an addition to the existing supermarket Sobeys, at 2517-19 Windsor

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Street; and that the undertakings contained in a letter from Sobeys, dated 25 October 1989, be added as an addendum to that agreement;

2. the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed with Deputy Mayor Moira Leiper abstaining from the vote owing to her absence from the 18 October public hearing.

Case No. 5409: Purdy's Wharf Development
- Street Acceptance

A public hearing to consider this matter was held on Wednesday, 18 October 1989.

A supplementary report, dated 20 October 1989, was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that City Council approve the acceptance of the Purdy's Wharf Development loop driveway as a City street.

In putting forward this motion, however, Alderman Downey made reference to various other private lanes located throughout the City which have not, as yet, been accepted as City streets. He indicated that this matter had been under discussion for quite some time, and asked for information from staff as to the current status of those discussions.

The motion was put and passed with Deputy Mayor Leiper abstaining from the vote due to her absence from the 18 October public hearing.

Case No. 5933: Appeal of Minor Variance Refusal
Lot 57 Chain Lake Drive

A public hearing into this matter was held on Wednesday, 18 October 1989.

A report, dated 26 October 1989, was submitted from Mr. Louis M. Dursi, P.Eng., Chairman, Lakes and Waterways Advisory Committee.

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MOVED by Alderman Jeffrey, seconded by Alderman Flynn that the appeal by the Halifax Industrial Commission pertaining to the minor variance requested for the yard requirement at Lot 57, Chain Lake Drive be granted, and that the decision of the Development Officer be overturned.

Alderman Fitzgerald suggested that, in future, applications similar to Case No. 5933 (having the potential for environmental impacts on the City's waterways) be referred to the Lakes and Waterways Advisory Committee for review and recommendation, and that that recommendation form part of the staff report subsequently submitted to Council.

The motion was put and passed.

Case No. 5855: Minor Variance
- 14 Melville Avenue

A public hearing into this matter had been held on Wednesday, 18 October 1989.

MOVED by Alderman Hanson, seconded by Alderman Leiper that Council uphold the decision of the Development Officer to approve the minor variance requested for 14 Melville Avenue.

The motion was put and passed.

MOTIONS OF RECONSIDERATION

Motion of Alderman Flynn - Reconsideration of City Council Resolution of 12 October 1989 Re: Administrative Order for Office of Aldermanic Services

For clarification purposes, the following motion was approved during a regular meeting of Halifax City Council held on Thursday, 12 October 1989:

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that City Council approve an amendment to the Halifax City Charter that will permit the generation of an Administrative Order to formally establish the "Office of Aldermen's Services," and that the City Solicitor prepare the appropriate legislation for introduction at the next sitting of the Nova Scotia Legislature.

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During that same 12 October meeting, Alderman Flynn gave Notice of Motion that, at the next regular meeting of Halifax City Council (scheduled for 26 October), he proposed to introduce a Motion of Reconsideration with regard to Alderman Jeffrey's motion; namely, to amend the Halifax City Charter to permit the generation of an administrative order to formally establish the Office of Aldermen's Services.

Alderman Fitzgerald drew Council's attention to the discrepancy between what he understood the intent of the Motion of Reconsideration to be (i.e., to reconsider the motion which approved the seeking of enabling legislation through a **Charter amendment**), and Agenda Item 6.1 which refers only to an **administrative order**. The Alderman asked for information from the City Solicitor as to whether, under the circumstances, the Motion of Reconsideration was in order.

Responding to the question put forward by Alderman Fitzgerald, the City Solicitor pointed out that the matter of Notices of Motion are not dealt with in any substantive way in the official "Rules of Order." That being the case, Mr. Murphy suggested that there are two arguments to be considered **by the Chair** in making a decision as to whether to proceed:

- (1) does the discrepancy between the Agenda heading for Item 6.1 (which refers only to an "administrative order") and Council's motion of 12 October (which pertains to a "Charter amendment") render the current Motion of Reconsideration incorrect and therefore unacceptable? or
- (2) because the matter was debated in some detail during the 12 October meeting and because at this point in time all members of Council should be familiar with the essence of the Motion of Reconsideration, should not the matter be allowed to proceed despite the aforementioned discrepancy?

Responding to a question from Alderman Jeffrey, the City Solicitor advised that, in his opinion, if the Chair were to allow the Motion of Reconsideration to go forward, the ensuing comments by Alderman Flynn must pertain only to the motion as approved by Council on 12 October (i.e., with regard to an amendment to the City Charter, rather than to the development of an administrative order), and further, that the Alderman must introduce new material for Council's consideration on this matter.

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After some further discussion and questioning of the City Solicitor, the Chair called for comments from Alderman Flynn regarding his Motion of Reconsideration.

Commencing his remarks on this matter, Alderman Flynn distributed copies of a document entitled "Administrative Order Number 21 Respecting the Office of Aldermen's Services," dated 21 June 1989, which, he alleged, represented a pertinent part of Alderman Jeffrey's previous motion.

Rising on a point of order, Alderman Jeffrey emphasized that the Administrative Order circulated by Alderman Flynn was merely a draft for information purposes and had never been officially submitted to Halifax City Council.

Alderman Flynn suggested that the basis of Alderman Jeffrey's motion, approved during the 12 October meeting of Halifax City Council, was to seek enabling legislation (in the form of an amendment to the City Charter) with regard to Clause 4(a) of the 21 June copy of Administrative Order Number 21; namely, that "the Manager of the Office of Aldermen's Services and employees of that office shall: (a) be civic employees within the meaning of the City Charter, except for being answerable to the authority of the City Manager". He emphasized that such an amendment would, in his words, "set up another bureaucracy" in which the City would no longer be operating under the Council-City Manager form of municipal government.

Alderman Flynn emphasized to members of Council that the decision almost 40 years ago to establish the current system of government had not been made lightly and, among other things, had involved a plebescite (held on 25 October 1950) to seek public opinion. In this context, the Alderman expressed very deep concern that in seeking changes to the system in 1989 Council had neither sought advice from members of the public nor had it established an independent committee to review the current situation in the Aldermen's Office and make recommendation. He labelled such actions "self-serving" and urged members of Council to look for ways other than a Charter amendment to effect a solution to their problems.

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that Council reconsider its motion of 12 October 1989 regarding the amendment of the Halifax City Charter to permit the generation of an administrative order to formally establish the Office of Aldermen's Services.

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The motion was put and defeated with three (3) members of Council voting in support and eight (8) voting against, as follows:

FOR: Alderman Fitzgerald, Deputy Mayor Leiper, and Alderman Flynn (3)

AGAINST: Aldermen Deborah Grant, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, and Stone (8)

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 18 October as follows:

Presentation Re: Grand Parade
(Consultant Gordon Ratcliffe)

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Leiper that Council table the report, dated October 1989, from Gordon Ratcliffe Landscape Architects; and further, that, as recommended by the Finance and Executive Committee, the matter be referred to staff for a full report (including a detailed cost analysis) and brought back to Council for further discussion.

The motion was put and passed.

Private Day Care Centres

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Leiper that, as recommended by the Finance and Executive Committee, the matter [pertaining to a request from privately-operated day care centres to receive rebates at the end of each fiscal year on their commercial and occupancy taxes] be referred to staff for a report; and further, that the matter be placed on the agenda of the earliest possible Committee of the Whole.

The motion was put and passed.

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Microcomputer Tender Equipment

Alderman Jeffrey declared a possible conflict of interest and retired from the meeting.

This matter had been forwarded to Council without recommendation in order that staff be given an opportunity to comment in writing on the concerns raised during the meeting of the Finance and Executive Committee held on 18 October.

A letter, dated 24 October 1989, was received from Mr. Jim Haliburton, Minicomp Systems Limited, 6448 Quinpool Road, Halifax. Correspondence, dated 26 October 1989, was also received from Stephen Stairs, Advisory Marketing Representative, and John Neville N.S. Marketing Manager, IBM Halifax.

A supplementary staff report, dated 25 October 1989, was submitted.

Mr. B. G. Smith, Director of Finance, briefly reviewed the contents of the supplementary staff report of 25 October, and described various of the factors underlying the staff recommendation, namely that Tender #89-161 be awarded to Computerland for its IBM product.

Mr. Smith emphasized, however, that in the face of concerns raised by several members of Council, staff have reassessed their original application for 67 microcomputers, and have reached the conclusion that if a minimum of 30 units were immediately provided, the existing mainframe could be removed and considerable monies saved. He added that, once these 30 units are in place, an evaluation of the City's computer strategy (as previously recommended by various Council members) could be undertaken to determine the most appropriate approach to staff's request for an additional 37 microcomputers.

With reference to Mr. Smith's remarks, Deputy Mayor Leiper commented that, in her opinion, staff have provided adequate responses to the concerns previously raised by members of Council, and, noting that it would appear to be extremely costly to prolong the process further, MOVED, seconded by Alderman Pottie that Council grant authority to award Tender #89-161 for 67 IBM microcomputers to the lowest bidder meeting all tender criteria (i.e., Computerland).

Alderman Stone reiterated the concerns expressed during the 18 October meeting of the Finance and Executive Committee, emphasizing that, in his view, an evaluation of the products proposed by IBM competitors is necessary in order that both Council and staff feel "comfortable" with

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the selection process. He went on to urge that an independent evaluation committee be established as quickly as possible to examine the efficiency of the City's computer system and the validity of the present philosophy with regard to IBM-compatible equipment. Alderman Stone referred to the expertise available throughout the Halifax community and suggested that a volunteer committee could be put together for this purpose.

While concurring with Mr. Smith's suggestion that the existing mainframe should be removed as quickly as possible, Alderman Stone indicated that he could support a motion to acquire only a minimum number of microcomputers at this point in time (i.e., the 30 suggested by Mr. Smith as being of "immediate need").

An amendment to the motion was therefore moved by Alderman Stone, seconded by Alderman Deborah Grant that a minimum number of 35 microcomputers be purchased at this time, provided that a committee is established to undertake an evaluation of the City's computer system.

After some discussion, the amendment to the motion was put and passed.

A further amendment to the original motion was moved by Alderman Fitzgerald, seconded by Alderman Deborah Grant that Council authorize an independent assessment of the City's current computer policy to be undertaken by the firm of Peat, Marwick, Stevenson & Kellogg, the City's external auditors, at an estimated cost of \$8,500 (all as outlined in Appendix "A" attached to the supplementary staff report of 25 October).

Following a discussion, the amendment to the motion was put and passed.

The original motion, as amended, was put and passed.

His Worship Mayor Wallace clarified that the request for the remaining 37 computers would be brought back to Council for consideration, once the recommended evaluation has been completed.

10:05 p.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Leiper assuming the Chair. Alderman Jeffrey returns to the meeting.

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Acquisition of Easements: E-1, E-2, E-3,
E-5, and E-6 (Rockwood Sewer Projects)

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that Easements E-1, E-2, E-3, E-5 and E-6, as shown on Plan Nos. TT-41-29856 and TT-41-29857, be acquired from the respective owners at the various agreed upon prices (as outlined in the confidential staff report, dated 11 October 1989). Funds are to be made available from Account No. DB011, the capital account for the project.

The motion was put and passed.

Acquisition of Parcel H-186, 1 Drysdale Road

MOVED by Alderman Hanson, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Parcel H-186, 1 Drysdale Road, be acquired from Dr. K. S. Hoque for \$11,550.00 (funds are to be made available from Account No. CJ012, the Herring Cove Road Widening Account).

The motion was put and passed.

Budget Update

This matter had been forwarded to Council without recommendation.

After some discussion and questioning of Mr. B. G. Smith, the City's Director of Finance, it was moved by Alderman Fitzgerald, seconded by Alderman Deborah Grant that the report, dated 16 October 1989 and entitled "Financial Position at 30 September 1989," be tabled.

The motion to table was put and passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 18 October 1989, as follows:

125 Central Avenue

This matter was forwarded to Council without recommendation.

An information report dated 26 October 1989 was submitted.

Alderman Jeffrey addressed the matter and advised that he had submitted a petition at a previous meeting of City Council on behalf of the residents of Central Avenue. The Alderman noted that the petition was signed by 50 residents concerned with the on-going problems caused by the continuous use and parking of heavy commercial vehicles by the occupants of 125 Central Avenue. Alderman Jeffrey noted that he had requested at that time that a copy of this petition be sent to the Chief of Police and the City Solicitor's Department. The Alderman noted that he has not received a response from the Chief of Police to date, but noted that a report had been received from the City Solicitor. He noted that the City Solicitor, in his report of 26 October 1989, has indicated that "the enforcement of the Land Use Bylaw can reduce the problem but cannot eliminate it entirely...that the only course of action which might alleviate the situation on Central Avenue is for the neighbours to cooperate with our prosecutors to see if enough evidence can be generated to prove that a business is being conducted at 125 Central Avenue in violation of our bylaw..."

MOVED by Alderman Jeffrey, seconded by Alderman Stone that the City Solicitor's Department consult with the neighbours of the area concerned in an effort to find a solution to this ongoing problem.

In seconding the motion, Alderman Stone noted that he has been involved with similar problems in his Ward with tractor trailers parking on residential streets. The Alderman noted that staff has been helpful in reducing the problem and asked that they continue making every effort to resolve the situation.

Alderman Hanson also expressed concern with regard to the parking of heavy vehicles and the transporting of heavy goods on residential streets. He went on to note that it was his intent to raise the matter during question period. Alderman Hanson indicated that the problem was really causing

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frustration for residents and suggested that perhaps the Noise Bylaw could be enforced to help eliminate the problem.

Alderman Stone advised the City Solicitor that the streets in question were not truck routes.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on 18 October 1989 as follows:

Cornwallis Court Development Proposal

The following motion was passed at the City Planning Committee meeting held on 18 October 1989:

"THAT the City approach the Federal Government as soon as possible with respect to the development of their lands on Gottingen Street and further that the concept as presented by Mr. Pearson be referred to staff."

A letter dated 25 October 1989 from Richard Pearson, President, Pearson & Associates, was submitted with attached letters in support of the Cornwallis Court Development.

Alderman Downey addressed the matter and advised that Mr. Bob Brown, President, Gottingen Street Area Merchants Association, would like to address Council on this item. Council agreed to hear Mr. Brown's presentation.

Mr. Brown addressed Council and thanked members of Council for the activity specific to the Gottingen Street area which they have initiated and encouraged during the last six months. Mr. Brown also expressed appreciation for the superb cooperation which his Association has received from City staff. Mr. Brown went on to endorse Mr. Pearson's proposal which was presented at the Committee of the Whole Council meeting on 18 October 1989. However, Mr. Brown suggested that there were two issues which were not clearly addressed. Mr. Brown questioned whether Council was unequivocally in favour of business development on Gottingen Street and prepared to do anything reasonable within its means to encourage it. Mr. Brown also questioned whether Council was really determined that this \$26,000,000

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commitment by Ottawa to the City be honored. During his presentation, Mr. Brown expressed concern with respect to the continual decline of Gottingen Street. He emphasized the need for Council and the residents of the whole of the City to pressure the Federal Government to build or lease space on Gottingen Street in order to encourage development on this Street.

Alderman Downey expressed concern with regard to the fact that the Federal Government has not responded directly to the City concerning their site on Gottingen Street. Alderman Downey expressed his strong support in favour of Mr. Pearson's proposal and MOVED, seconded by Alderman O'Malley that the City approach the Federal Government as soon as possible with respect to the development of their lands on Gottingen Street and, further, that Council support the proposal presented to it at the 18 October 1989 City Planning Committee meeting and that the matter be referred to staff for a report.

The Chairman suggested that His Worship Mayor Wallace would be forwarding a letter to the Federal Government now that Council has endorsed the recommendation.

Alderman D. Grant emphasized the importance of endorsing the motion of Alderman Downey and expressed support in favour of the proposal for Gottingen Street which she suggested could bring prosperity to the area. Alderman D. Grant asked that the Mayor, in his letter to the Minister, indicate Council's very strong support for this project and desire for the project to move forward as quickly as possible.

The motion was put and passed.

Case No. 5897: Cost-Sharing - Radcliffe Drive Extension
(Clayton Park West)

This matter was forwarded to Council without recommendation.

MOVED by Alderman Stone, seconded by Alderman Flynn that City Council agree to cost share in the construction of the extension of Radcliffe Drive within the Clayton Park West subdivision in the estimated amount of \$47,636.00, subject to final billings based on the quantities and unit prices of the tender.

Motion passed.

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Strategy Statement on the Environment (Policy 8.1 of the
Municipal Development Plan)

This matter was forwarded to Council without recommendation.

Alderman D. Grant addressed the matter and indicated that many initiatives have been taken by the City of Halifax with respect to protecting and enhancing the environment. During a review of the environmental policy sets for the City of Halifax in the Municipal Planning Strategy, Alderman D. Grant noted that policy 8.1 indicates that "the City shall provide a policy statement on the environment". She further noted that policy 8.1 talks about not being able to address the remainder of the environment policies until a strategy statement has been prepared. Alderman D. Grant advised that staff have informed her that no strategy statement has been developed to date.

10:45 p.m. His Worship Mayor Wallace returns to the meeting with Deputy Mayor Leiper taking her usual seat in Council.

Alderman D. Grant emphasized the importance for the City of Halifax to begin to focus more clearly to better preserve and enhance the environment.

MOVED by Alderman D. Grant, seconded by Alderman Downey that staff be requested to report on the development of a strategy statement on the environment and, as well, prepare a report on how environment policy sets could be implemented for each Department within the City of Halifax.

Motion passed.

Case No. 5562: 6205 Pepperell Street

This matter was forwarded to Council without recommendation.

A letter dated 31 August 1989 from Special Projects Limited was submitted.

Alderman Fitzgerald addressed the matter and referred to the business on Pepperell Street abutting Quinpool Road. He explained that there was no entrance to the back of that building, but that a vacant lot exists where cars park. Alderman Fitzgerald noted that the residents of the area have grown accustomed to the cars being parked on this lot and did not voice opposition at the time of the

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public hearing on this matter. However, Alderman Fitzgerald noted that it has been brought to the residents attention that the owners plan to cut through a 14' X 7' door at the back of the building in question for loading and unloading. Alderman Fitzgerald expressed the concern that the cut door could cause a through way for traffic and pedestrians to go from Pepperell Street through to Quinpool Road. He noted that it was his opinion and the opinion of the residents that this will destroy the residential nature of Pepperell Street.

MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that this matter be forwarded to the Planning Advisory Committee for a report back to Council.

Motion passed.

Rooming Houses

This matter was forwarded to Council without recommendation.

Alderman Fitzgerald addressed the matter and expressed concern with regard to rooming houses. Alderman Fitzgerald explained that the Land Use Bylaw defines a rooming house in such a way that it makes it very difficult to control the number of persons living in the house. Alderman Fitzgerald expressed concern with regard to the fact that the owner of a rooming house is not compelled to maintain the dwelling. He further expressed the concern that nightly parties occur occasionally.

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that this matter be forwarded to the Planning Advisory Committee for an indepth study and report back to Council.

Motion passed.

Case No. 5892: Proposed Development Agreement -
1480-84 Carlton Street

This matter was forwarded to Council without recommendation.

Alderman Fitzgerald addressed the matter and explained that the legislation regarding heritage properties provides for other uses than are permitted under the zoning bylaw for a restored historic property. Alderman Fitzgerald expressed the concern that while tremendous developments can exist, the development can conflict with the streetscape's residential nature.

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MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that this matter be forwarded to the Planning Advisory Committee for a review and report back to Council.

Alderman D. Grant pointed out that all applications of this nature are scrutinized by Council and are considered under contract.

The motion was put and passed.

Environmental Audit

This matter was forwarded to Council without recommendation.

Alderman Fitzgerald referred to Alderman D. Grant's comments made earlier this evening with regard to a strategy statement on the environment as it relates to policy 8.1 in the Municipal Development Plan. Alderman Fitzgerald agreed that the City should develop a very specific policy towards environmental management reflecting the goal of long term sustainable development. Alderman Fitzgerald went on to suggest that the City should assess the state of its environment at the present time by conducting an environmental audit. He also suggested that the City should develop a program which has public input so it could identify the key issues and the type of environmental management to take place in the 90's and beyond.

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that staff report immediately to Council with regard to having an environmental audit in the City which will determine the state of the environment as it exists at the present time.

Motion passed.

MOTIONS

Motion - Alderman Stone Re: Amendment to Ordinance 112, the Encroachment Ordinance - FIRST READING

Notice of Motion on this item was given at a regular meeting of City Council held on 12 October 1989.

MOVED by Alderman Stone, seconded by Alderman Hanson that City Council approve an amendment to Ordinance 112, the Encroachment Ordinance, as attached as Appendix "A" to the staff report of 5 October 1989, and refer the

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amendment of the Committee of the Whole for consideration and report.

Motion passed.

QUESTIONS

Question Alderman O'Malley Re: Letter - Fleet Club Access

Alderman O'Malley noted that, as a result of a motion recently passed by City Council, a letter was to be forwarded to the Base Commander in relation to the access to the Fleet Club from Russell Street. Alderman O'Malley questioned when the Base Commander might receive this letter.

The Chairman agreed to look into the matter.

Question Alderman O'Malley Re: 5651 McCara Street

Alderman O'Malley noted that a recent newspaper article reported that 5651 McCara Street, an illegal rooming house, was sold in a bankruptcy sale by a trust company. The Alderman noted that the matter with regard to the illegal use of the property was before the Supreme Court and questioned, now that the property has been sold, the status of the whole situation.

The City Solicitor indicated that he would review the file and report back to the Alderman.

Question Alderman O'Malley Re: Abortion Clinic - McCully Street

Alderman O'Malley expressed the concern that the media has reported this evening that there have been abortions performed at the Morgentaler Clinic on McCully Street. The Alderman further noted that she has received complaints from residents on McCully Street concerned with the increased traffic and demonstrations occurring in the neighbourhood. Alderman O'Malley questioned as to what action the Halifax Police Department intended to take with regard to the traffic and demonstrations that are going on at this location.

Question Alderman Stone Re: Speeding on Ross Street

Alderman Stone noted that he had received complaints from residents about the increased traffic and speeding on Ross Street. Alderman Stone asked that the Halifax Police Department patrol the area and that the

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Traffic Authority consider erecting signage in the area to try to alleviate the problem.

Question Alderman Downey Re: Nova Scotia Liquor Commission -
Agricola Street

Alderman Downey advised that the Nova Scotia Liquor Commission was planning to move its mail department from Strawberry Hill to Agricola Street. Alderman Downey went on to advise that, at the time of the public hearing regarding the Agricola Street Store, persons concerned were assured that the store's rear exit would remain closed because of the school property on Maynard Street. Alderman Downey requested that the Nova Scotia Liquor Commission be reminded that the exit onto Maynard Street is to remain closed.

Question Alderman Hanson Re: Bottle Exchange -
Dutch Village Road

On behalf of Alderman Jeffrey, Alderman Hanson asked that the City Solicitor provide an update report on the violation pertaining to the Bottle Exchange on Dutch Village Road.

Question Alderman Hanson Re: Noise Bylaw - Trucks

Alderman Hanson noted that he had alluded to the matter earlier in the evening with respect to the nuisance caused by trucks transporting fill, etc., at all hours of the day and night. The Alderman asked that the City Solicitor's Department investigate the situation to see whether or not the problem could be controlled by way of the noise ordinance.

Question Alderman Fitzgerald Re: Garden Crest Apartments -
Summer Street

Alderman Fitzgerald suggested that a letter of thanks should be forwarded to the Minister of Tourism and Culture on behalf of City Council thanking him for his role in saving the Garden Crest Apartments on Summer Street.

In reply to a suggestion by the Chairman, Alderman Fitzgerald indicated that he would write the Honorable Minister personally with respect to this matter.

Question Alderman Fitzgerald Re: Emergency Measures

Alderman Fitzgerald referred to the number of emergencies which have occurred across the continent recently. Alderman Fitzgerald asked for a report addressing

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the questions "are we ready in Metro Halifax for a serious emergency?".

Question Alderman Meagher Re: Ardmore Hall - Seniors Complex

Alderman Meagher advised that he had asked the City Manager at a recent meeting of City Council if he would investigate the possibility of acquiring Ardmore Hall as a senior citizens complex.

The City Manager advised that staff has contacted the Housing Commission with respect to the matter, but suggested that it will take some time to receive a response to this request from the Commission. The City Manager indicated that the matter would be further pursued.

Question Alderman Meagher Re: Central Common

Alderman Meagher asked that the Recreation Department keep a watchful eye on the Central Common now that the football and soccer season has started. Referring to a recent press report, the Alderman noted that a field hockey game which had been scheduled to take place in Fredericton this weekend has been moved to Halifax. The Alderman went on to suggest that the Central Commons should be monitored on both Saturdays and Sundays.

ADDED ITEMS

Tender #89-140 - Bulk Highway Rock Salt

This matter was added to the agenda at the request of the City Clerk.

A confidential report dated 24 October 1989 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Pottie that authority be granted to accept the offer of Canadian Salt Ltd. to supply Bulk Highway Rock Salt this winter (Acceptance of the subsequent offering to be brought forward to City Council for approval in September 1990).

Alderman D. Grant expressed the concern that Council was approving a low tender on an item where there was no knowledge of the environmental impact on the City's lakes and waterways. Alderman D. Grant emphasized the need to reflect on the affects the continuance of rock salt could have on the environment. Alderman D. Grant went on to suggest an amendment to the motion to provide for an environmental assessment, but the Chair advised that such an assessment could be performed inhouse to learn the impact of

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rock salt on the City's lakes and waterways. His Worship advised that a report would be forthcoming.

The motion was put and passed.

Motion Alderman Pottie Re: Increase in Various Fees -
SECOND READING

At the request of the City Clerk, this matter was added to the agenda.

This matter was last discussed at the Special Council/Public Hearing meeting held 18 October 1989.

MOVED by Alderman Pottie, seconded by Alderman D. Grant that City Council give SECOND READING to the amendments proposed for various Ordinances (attached as Schedule "A" to the report from the City Solicitor, dated 21 September 1989).

Motion passed.

Appointments

This matter was added to the agenda at the request of the City Clerk.

A report dated 26 October 1989 from Mayor Ron Wallace was submitted.

MOVED by Alderman Flynn, seconded by Alderman Stone that the following persons be nominated to the Corporation Committee (terms to expire upon completion of mandate):

Alderman Walter Fitzgerald
Alderman Art Flynn
Alderman Deborah Grant
Alderman Ron Hanson
Paul Calda, City Manager
Don Murphy, City Solicitor
B. Smith, Director of Finance
R. Matthews, Director of Development and Planning

Motion passed.

Overnight Winter Parking Ban (Alderman Downey)

This matter was added to the agenda at the request of Alderman Downey.

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Alderman Downey addressed the matter and questioned when the overnight winter parking ban will be effected.

Mr. Peter Connell, Director of Engineering and Works, addressed the matter and advised that discussions were presently underway with the neighbouring municipalities regarding a date for the overnight winter parking ban. Mr. Connell suggested that the ban would come into effect during the first week of December.

Alderman Stone noted that problems had arisen last year with respect to the ban. He explained that the public did not clearly understand when the ban came into effect and that several tickets were issued as a result.

Following a short discussion, Mr. Connell advised that an information report with a copy of the advertisement would be forwarded to Council with respect to this year's ban and that care would be taken to remove an uncertainty in public notifications.

Senior Citizen Manors - Cable Connections (Alderman Downey)

At the request of Alderman Downey, this matter was added to the agenda.

Alderman Downey addressed the matter and referred to a report in today's Daily News indicating that only some of the seniors manors will be provided with Valu-Pak. Alderman Downey expressed the concern that more than 66 percent of the seniors in each complex had to be in favour of the hook up in order for the service to be provided to the building. He went on to advise that out of the 13 manors, only 7 were hooked up. Alderman Downey noted that, at the 12 October 1989 meeting of City Council, a motion was passed requesting that a letter be forwarded to the Halifax Housing Authority to cooperate with the local cable T.V. station in providing seniors complexes, at a reduced cost, the access to the additional channels for those who so desire to have this option. Alderman Downey expressed the view that, if 50 percent of the seniors were requesting the service, it should therefore be provided.

Alderman Flynn suggested that an overall percentage of all the seniors residing in manors should be taken rather than polling each manor separately.

Following a short discussion, the Chairman noted that a letter would be forwarded in the very near future to

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the Halifax Housing Authority and Halifax Cablevision on the matter.

Alderman Hanson suggested that consideration also be given to providing a "dish" to each seniors complex so that they could have the enjoyment of many channels.

Decision of Public Utilities Board - Halifax/Dartmouth Bridge Commission (Alderman O'Malley)

This matter was added to the agenda at the request of Alderman O'Malley.

Alderman O'Malley addressed the matter and advised that she and Alderman Downey had attended the press conference today of the Halifax Dartmouth Bridge Commission. She went on to note that copies of the press release and the findings of the Public Utilities Board had been distributed to Council this evening. Alderman O'Malley reported that the new fares will go into effect on Wednesday, 1 November 1989, and that, as of that time, tokens will be 40 cents and cash will be 50 cents.

George Dixon Pool - Conceptual Design/Rendering

This matter was added to the agenda at the request of the City Clerk.

A staff report dated 26 October 1989 was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that \$15,000.00 be transferred from Recreation Capital Budget account FA101 - George Dixon Multi-Purpose Court to effect a CONCEPTUAL DESIGN/RENDERING for the proposed George Dixon Centre Pool.

Motion passed.

Civic Hospital (Alderman Fitzgerald)

This matter was added to the agenda at the request of Alderman Fitzgerald.

Alderman Fitzgerald addressed the matter and referred to a recent statement from a CBC Broadcast in which the Honorable David Nantes, Minister of Health and Fitness, inferred the following: that the Civic Hospital Board of

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Directors went behind the back of the Department of Health by coming to City Council with the request that they get support for the concept of building a new hospital; and that Alderman Fitzgerald was totally misinformed and that nobody supported this request.

Alderman Fitzgerald went on to refer to the City Council minutes of the 29 June 1989 where the motion was passed that Council agree to continue to own the Civic Hospital and advise the Province of Nova Scotia that any intent to close the institution is not acceptable. Alderman Fitzgerald suggested that it was not he, but the Minister of Health who was misinformed. Alderman Fitzgerald noted that there were a number of other statements made where he could show very clearly that the Minister of Health was misinformed.

Alderman Fitzgerald suggested that the Chairman could pass his comments along to the Minister of Health and Fitness.

11:50 p.m. There being no further business to discuss, the meeting adjourned.

HIS WORSHIP MAYOR WALLACE
AND
DEPUTY MAYOR LEIPER
CHAIRMEN

EDWARD A. KERR
CITY CLERK

K*MMD

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